

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

WARREN RICHARDS,)	
)	
Plaintiff,)	
)	
v.)	No. 1:25-cv-01385-TWP-TAB
)	
SHEIN DISTRIBUTION CORPORATION,)	
)	
Defendant.)	

ORDER ON DEFENDANT'S MOTION TO STAY

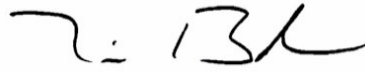
Defendant Shein Distribution Corporation has filed a motion seeking to stay this case pending an appeal to the Seventh Circuit Court of Appeals in a separate case or, alternatively, seeking to stay discovery pending a ruling on Defendant's motion to dismiss. [Filing No. 18.] Defendant's stay request is premised on the fact that the issue in this case—whether unsolicited text messages constitute a "telephone call" for purposes of establishing a violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227(c)(5)—is pending before the Seventh Circuit in *Steidinger, et al v. Blackstone Medical Services*, No. 25-2398. Plaintiff Warren Richards opposes Defendant's request.

The Court finds it is appropriate to stay this case pending a ruling on the pending motion to dismiss. That is precisely what Magistrate Judge Klump recently ruled in *Richards v. Fashion Nova, LLC*, No. 1:25-cv-01145-TWP-MKK (S.D. Ind. Oct. 27, 2025), ECF No. 35. The undersigned need not repeat Judge Klump's sound analysis here. Suffice it to say that, as Judge Klump properly recognized, given the Seventh Circuit appeal and the pending motion to dismiss—either of which could bring this litigation to an end—the Court's broad discretion is

best exercised in granting a stay. Doing so will simplify the issues, impose a minimal burden on Plaintiff, and reduce the burden of litigation on the Court and the parties.

Although the undersigned typically prefers to avoid staying cases, Defendant has met its burden to show that a stay is appropriate. Accordingly, Defendant's motion to stay proceedings [Filing No. 18] is granted. This case is stayed pending a ruling on Defendant's motion to dismiss. Defendant's request for oral argument is denied.

Date: 11/4/2025

A handwritten signature in black ink, appearing to read 'T. Baker', is written above a horizontal line.

Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email